

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICKY MOTT,

Plaintiff,

-against-

JUDGE SEAN LANE, et al.,

Defendants.

25-CV-4063 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated June 24, 2025, the Court (1) directed Plaintiff Ricky Mott, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP application”) or pay the \$405.00 in fees required to file a civil action in this court; and (2) dismissed the claims brought by Plaintiff ABC Mining without prejudice to ABC Mining retaining counsel to litigate its claims. That order specified that failure to submit an IFP application within the time allowed would result in dismissal of the complaint. Plaintiff has not filed an IFP application or paid the fees. Rather, he filed an “Opposition to Motion to Dismiss or Terminate Ricky Mott or ABC Mining Co. as Plaintiff,” presumably seeking to challenge the Court’s June 24, 2025 order dismissing ABC Mining from this action. (ECF 10.)

The Court construes Plaintiff’s opposition as a motion for reconsideration, brought under Rule 60(b) of the Federal Rules of Civil Procedure, and denies the motion because Plaintiff does not offer any reason justifying reconsideration of the decision to dismiss ABC Mining’s claims. The Court also dismisses this action without prejudice for failure to pay the fees or submit an application to proceed IFP. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this case.

SO ORDERED.

Dated: July 30, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge